



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Yoshihiko SANO et al.

Group Art Unit: 1744

Serial Number: 09/912,317

Examiner: M.R. Chorbaji

Filed: July 26, 2001

For: SOLUTION PREPARING APPARATUS

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(c)

Honorable Commissioner of
Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

November 3, 2003

Sir:

Nipro Corporation, having its place of business at 9-3, Honjo-Nishi 3-Chome, Kita-Ku, Osaka-shi, Osaka-fu, 531-8510, Japan, is the assignee of the entire right, title and interest in United States Patent Application Serial No. 09/912,317, filed July 26, 2001, for SOLUTION PREPARING APPARATUS, by virtue of an assignment recorded in United States Patent Application Serial No. 09/912,317, in the United States Patent and Trademark Office on July 26, 2001, at Reel 012020, Frames 0001-0003.

Your petitioner, **Nipro Corporation**, disclaims the terminal part, if any, of any patent granted on application Serial No. 09/912,317, which would extend beyond the expiration date of any patent granted on United States Patent Application Serial No. 09/903,715, filed July 13, 2001, and directed to common subject matter, and hereby agrees that any patent so granted on application Serial No. 09/912,317, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent so granted on application Serial No. 09/903,715, this agreement to run with any patent granted on application Serial No. 09/912,317, and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on application Serial No. 09/912,317, prior to the expiration date of the full statutory term of any patent granted on application Serial No. 09/903,715 in the event that such patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently

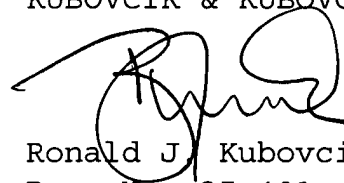
shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned hereby declares that all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

The undersigned is an attorney or agent of record.

Date: November 3, 2003

KUBOVCIK & KUBOVCIK

A handwritten signature in black ink, appearing to read 'Ronald J. Kubovcik', is written over a circular stamp or seal.

Ronald J. Kubovcik
Reg. No. 25,401
Attorney for
Nipro Corporation,

Atty. Case No. NPR-084
The Farragut Bldg.
Suite 710
900 17th Street, N.W.
Washington, D.C. 20006
Tel: (202) 887-9023
Fax: (202) 887-9093
RJK/cfm